

AUG 23 2006

**PIETRAGALLO, BOSICK & GORDON LLP**

Attorneys at Law  
301 Grant Street  
One Oxford Centre, 38<sup>th</sup> Floor  
Pittsburgh, PA 15219-6404  
USA  
Telephone Number: (412) 263-2000  
Direct Fax: (412) 261-0915  
Alternate Fax: (412) 261-5295

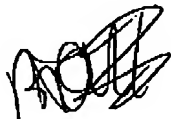
**FACSIMILE TRANSMISSION COVER PAGE**

**DATE:** August 23, 2006

**RECIPIENT:** Commissioner For Patents

**COMPANY:** U.S. Patent and Trademark Office

**RECIPIENT'S FAX NO.:** 571 - 273-8300

**FROM:** Benjamin T. Queen, II 

**FILE NUMBER:** SEAG 77939

**NUMBER OF PAGES**  
(including cover page): 3

**MESSAGE:** Request For Status  
U.S. Patent Application No. 10/646,178

**SENT BY:** hh **TELEPHONE NUMBER:** 412 - 263-4360

**CONFIRMATION COPY:**

☐ VIA U.S. MAIL ☐ VIA INTERNATIONAL FEDERAL EXPRESS  
☐ VIA AIR MAIL ☒ NONE

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THE MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS, VIA THE U.S. POSTAL SERVICE. THANK YOU.

535477

AUG 23 2006

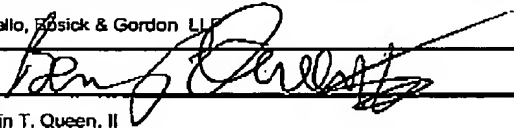
PTO/SB/21 (09-04)


Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/546,178
	Filing Date	08/22/2003
	First Named Inventor	Steven L. Naberhuis
	Art Unit	2627
	Examiner Name	Mohammed N. Edun
Total Number of Pages in This Submission	Attorney Docket Number	10006167-2 (SEAG 77939)

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input checked="" type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Pietragallo, Rosick & Gordon LLP		
Signature			
Printed name	Benjamin T. Queen, II		
Date	08/23/2006	Reg. No.	41,260

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Helene Holden	Date	08/23/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

AUG 23 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/646,178  
Applicant : Steven L. Naberhuis  
Filed : 08/22/2003  
Title: : DATA STORAGE DEVICE  
TC/A.U. : 2627  
Examiner : Mohammad N. Edun  
Docket No. : 10006167-2 (SEAG 77939)  
Customer No. : 35810

REQUEST FOR STATUS

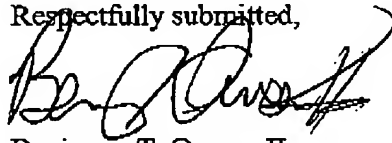
August 23, 2006

Facsimile No. 571 - 273-8300  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The captioned patent application was filed on August 22, 2003. Since then, Applicant has not received an action on the merits of the application. Applicant respectfully requests a communication from the Patent and Trademark Office concerning the status of the application, including an indication of the estimated amount of time it will take for the Patent and Trademark Office to act on this application.

Respectfully submitted,



Benjamin T. Queen, II  
Registration No. 41,260  
Pietragallo, Bosick & Gordon LLP  
One Oxford Centre, 38<sup>th</sup> Floor  
301 Grant Street  
Pittsburgh, PA 15219  
Telephone No.: (412) 263-4360  
Facsimile No.: (412) 261-0915  
Attorney for Applicant(s)

1042943